

MAR 26 2008

PTO/SB/21 (01-08)

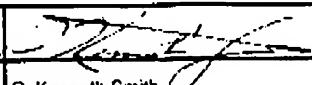
Approved for use through 03/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM	Application Number	10/553,328	
	Filing Date	04/14/2004	
	First Named Inventor	X. Gao	
	Art Unit	TBD	
	Examiner Name	TBD	
(to be used for all correspondence after initial filing)		Attorney Docket Number	123029.1057(UHID 2003-031)
Total Number of Pages in This Submission	15		

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Preliminary amendment (8 pages); copy of Notice dated 12/08/2006 (2 pages); PTO-2038 (1 page)
Remarks Transmitted via facsimile to 571-273-8300		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	G. Kenneth Smith, Ph.D., J.D.	
Signature		
Printed name	G. Kenneth Smith	
Date	03/26/2008	Reg. No. 43,135

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	G. Kenneth Smith	Date 03/26/2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/64 (01-08)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
123029.1057(UHID 2003-031)

First named inventor: X. Gao

Application No.: 10/553,328

Art Unit: TBD

Filed: 04/14/2004

Examiner: TBD

Title: Novel Reagent Compounds And Methods Of Making and Using the Same

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☒ Small entity-fee \$ 770 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of preliminary amendment and PTO-2038 (identify type of reply):☐ has been filed previously on 03/31/2008 LLANDGRA 00000052 10553328
☒ is enclosed herewith.

01 FC:2453

770.00 OP

02 FC:2615

75.00 OP

B. The issue fee and publication fee (if applicable) of \$ _____

☐ has been paid previously on _____
☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to
complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/64 (01-08)

Approved for use through 01/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

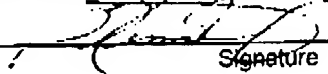
☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

	03/26/2008
Signature	Date
G. Kenneth Smith	43,135
Typed or printed name	Registration Number, if applicable
1645 Briarwood Circle	908-425-1805
Address	Telephone Number
Bethlehem, PA 18015	
Address	

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Amendment; 12/08/2006 Notice copy; PTO-2038 Transmittal Form; Fee Transmittal**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

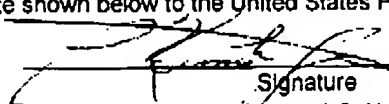
I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

03/26/2008

Date



Signature

G. Kenneth Smith

Typed or printed name of person signing certificate

(Page 2 of 2)

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MAR 26 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1470
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/553,328	Xiaolian Gao	123029.1057(UHID 2003-031)
INTERNATIONAL APPLICATION NO.		
PCT/US04/11489		
I.A. FILING DATE	PRIORITY DATE	
04/14/2004	04/14/2003	

37058
TIM HEADLEY
GARDERE WYNNE SEWELL LLP
1000 LOUISIANA, SUITE 3400
HOUSTON, TX 77002

CONFIRMATION NO. 1169

371 FORMALITIES LETTER

OC000000021533875

Date Mailed: 12/08/2006

Notification of Insufficient Fees (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/14/2005
- Copy of the International Search Report filed on 10/14/2005
- Copy of IPE Report filed on 10/14/2005
- Information Disclosure Statements filed on 04/12/2006
- Oath or Declaration filed on 10/14/2005
- Small Entity Statement filed on 10/14/2005
- Request for Immediate Examination filed on 10/14/2005
- U.S. Basic National Fees filed on 10/14/2005
- Priority Documents filed on 10/14/2005
- Power of Attorney filed on 10/14/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$3900** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$3900** for a Small Entity:

- Total additional claim fee(s) for this application is **\$ 3900**
 - **\$3900** for 42 independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/553,328	PCT/US04/11489	123029.1057(UHID 2003-031

FORM PCT/DO/EO/923 (371 Formal)(es Notice)

PTO/SB/17 (10-07)

Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Effective on 12/09/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2008

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 845

Complete If Known

Application Number	10/553,328
Filing Date	04/14/2004
First Named Inventor	X. Gao
Examiner Name	TBD
Art Unit	TBD
Attorney Docket No.	123029.1057(UHID 2003-031)

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METHOD OF PAYMENT (check all that apply)
☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION
1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES
Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
210	105
370	185

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
23 - 20 or HP = 3	3	75	75

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
3 - 3 or HP = 0	0	N/A	0

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)
N/A	0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
3 - 100 =				

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1.17(m)

Fees Paid (\$)

0

770

SUBMITTED BY

Signature	Registration No. 43,135	Telephone 908-425-1805
Name (Print/Type): G. Kerlneith Smith	(Attorney/Agent)	Date 03/26/2008

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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MAR 26 2008

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

Gao, et al.

Serial No. 10/553,358

Filing Date: 04/14/2004

**Title: NOVEL REAGENT COMPOUNDS
AND METHODS OF MAKING AND
USING SAME**

)
)
) **Examiner: TBD**
)
)
) **Group Art Unit: TBD**

**Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**

Transmitted via facsimile to 571-273-8300

Preliminary Amendment

This is a preliminary amendment to the above referenced case. Attached herewith are: 1) Transmittal letter; 2) copy of the Notice of Insufficient Fees dated 12/08/2006; 3) Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b); 4) Fee transmittal sheet; and, 5) PTO-2038. Applicants do not believe any additional petitions are required; if this is in error, such petitions are hereby made. All fees associated with this response, including additional claims fee (\$75), and the petition fee under 1.17(m) (\$770 for a small-entity) may be charged to the credit card shown on the attached PTO-2038. Applicants do not believe any additional fees are required.

Amendments to the Claims begins on page 2 of this response.

Remarks begin on page 4 of this response.

Conclusions begin on page 5 of this response.

71. (New) The compound of claim 70 wherein n is 0 – 20, m is 0 – 20, n_1 is 0 – 20; n_2 is 0 – 20; m_1 is 0 – 20 and m_2 is 0 – 20.

72. (New) The compound of claim 70 wherein A is $-(OCH_2CH_2)-$, n is 1; m is 0; and, R_3 is $-CH_2CH_2CN$.

73. (New) The compound of claim 70 wherein A is $-(OCH_2CH_2)-$, n is 2; m is 0; and, R_3 is $-CH_2CH_2CN$.

74. (New) The compound of claim 70 wherein A is $-(OCH_2CH_2)-$; n is 3-20; m is 0; and, R_3 is $-CH_2CH_2CN$.

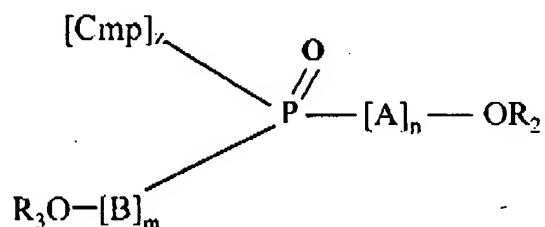
75. (New) The compound of claim 70 wherein A is selected from the group consisting of $-(OCH_2CH_2)-$, $-(OCH_2CH_2CH_2)-$, and grafted $-(OCH_2CH_2)_{n_1}-(OCH_2CH_2CH_2)_{n_2}-$; n is at least 1; m is 0; and, R_3 is $-CH_2CH_2CN$.

76. (New) The compound of claim 70 wherein A is selected from the group consisting of $-(OCH_2CH_2)-$, $-(OCH_2CH_2CH_2)-$, and grafted $-(OCH_2CH_2)_{n_1}-(OCH_2CH_2CH_2)_{n_2}-$; B selected from the group consisting of $-(OCH_2CH_2)-$, $-(OCH_2CH_2CH_2)-$, and grafted $-(OCH_2CH_2)_{n_1}-(OCH_2CH_2CH_2)_{n_2}-$; n is 1 – 50; n_1 is 1 – 50; n_2 is 1 – 50; m is 1 – 50; m_1 is 1 – 50; and, m_2 is 1 – 50.

77. (New) The compound of claim 70 wherein A is $-(OCH_2CH_2)-$; B is $-(OCH_2CH_2)-$; n is 2; m is 2; R_2 is CH_3 , or CH_2CH_3 ; and, R_3 is CH_3 , or CH_2CH_3

78. (New) The compound of claim 70 wherein A is $-(OCH_2CH_2)-$; B is $-(OCH_2CH_2)-$; n is 3-20 and m is 3-20; R_2 is CH_3 , or CH_2CH_3 ; and, R_3 is CH_3 , or CH_2CH_3 .

79. (New) The compound of the formula:



wherein Cmp is selected from the group consisting of a nucleoside, a nucleotide, an amino acid, a carbohydrate, an oligonucleotide, a peptide, and an oligosaccharide;

A is selected from the group consisting of $-(OCH_2CH_2)-$, $-(OCH_2CH_2CH_2)-$, and grafted $-(OCH_2CH_2)_{n1}-(OCH_2CH_2CH_2)_{n2}-$;

B is selected from the group consisting of $-(OCH_2CH_2)-$, $-(OCH_2CH_2CH_2)-$, and grafted $-(OCH_2CH_2)_{m1}-(OCH_2CH_2CH_2)_{m2}-$;

n is 0 - 50;

n1 is 0 - 50;

n2 is 0 - 50;

m is 0-50

m1 is 0 - 50;

m2 is 0 - 50;

z is at least 1;

R₂ is selected from the group consisting of H, -CH₃, alkyl, phenyl, -CH₂CH₂CN, and -CONH₂;

and,

R₃ is selected from the group consisting of H, -CH₃, alkyl, phenyl, -CH₂CH₂CN, and -CONH₂.

80. (New) The compound of claim 79 wherein n is 0 - 20; m is 0 - 20; n1 is 0 - 20; n2 is 0 - 20; m1 is 0 - 20; and, m2 is 0 - 20;

81. (New) The compound of claim 79 wherein Cmp is a nucleoside or a nucleotide with the 5'-O bond to the phosphorous; and, z is 1 - 15.

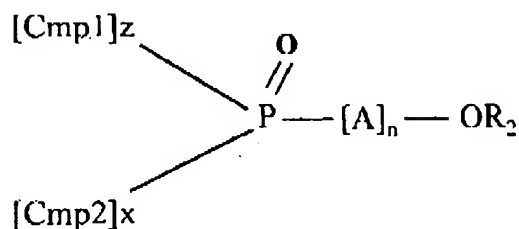
82. (New) The compound of claim 79 wherein Cmp is a nucleoside or a nucleotide with the 5'-O bond to the phosphorous; and, z is 1-30.

83. (New) The compound of claim 79 wherein Cmp is a nucleoside or a nucleotide with the 5'-O bond to the phosphorous; and, z is 1-100.

84. (New) The compound of claim 79 wherein Cmp is a nucleoside or a nucleotide with the 3'-O bond to the phosphorous; and, z is 1-15.

85. (New) The compound of claim 79 wherein Cmp is a nucleoside or a nucleotide with the 3'-O bond to the phosphorous; and, z is 1-30.

86. (New) The compound of claim 79 wherein Cmp is a nucleoside or a nucleotide with the 3'-O bond to the phosphorous; and, z is 1-100.
87. (New) The compound of the formula:



wherein Cmp1 is selected from the group consisting of a nucleoside, a nucleotide, an amino acid, a carbohydrate, an oligonucleotide, a peptide, and an oligosaccharide;

Cmp2 is selected from the group consisting of nucleoside, a nucleotide, an amino acid, a carbohydrate, an oligonucleotide, a peptide, and an oligosaccharide;

A is selected from the group consisting of $-(\text{OCH}_2\text{CH}_2)-$, $-(\text{OCH}_2\text{CH}_2\text{CH}_2)-$, and grafted $-(\text{OCH}_2\text{CH}_2)_{n1}-(\text{OCH}_2\text{CH}_2\text{CH}_2)_{n2}-$;

n is 0 - 50;

n1 is 0 - 50;

n2 is 0 - 50;

x is at least 1;

z is at least 1; and,

R₂ is selected from the group consisting of H, $-\text{CH}_3$, alkyl, phenyl, $-\text{CH}_2\text{CH}_2\text{CN}$, and $-\text{CONH}_2$.

88. (New) The compound of claim 87 wherein n is 0 - 20; n1 is 0 - 20; and, n2 is 0 - 20.

89. (New) The compound of claim 87 wherein Cmp1 is a nucleoside or a nucleotide with the 3'-O bond to the phosphorous; Cmp2 is a nucleoside or a nucleotide with the 5'-O bond to the phosphorous; z is at least 1; and, x is at least 1.

90. (New) The compound of claim 87 wherein Cmp1 is a nucleoside or a nucleotide with the 3'-O bond to the phosphorous; Cmp2 is a nucleoside or a nucleotide with the 5'-O bond to the phosphorous; z is 1-50; and, x is 1-50.

91. (New) The compound of claim 87 wherein Cmp1 is a nucleoside or a nucleotide with the 3'-O bond to the phosphorous; Cmp2 is a nucleoside or a nucleotide with the 3'-O bond to the phosphorous; z is 1-50; and, x is 1-50.

92. (New) The compound of claim 87 wherein Cmp1 is a nucleoside or a nucleotide with the 5'-O bond to the phosphorous; Cmp2 is a nucleoside or a nucleotide with the 5'-O bond to the phosphorous; z is 1-50; and, x is 1-50.

REMARKS


Reconsideration of this application is respectfully requested. Claims 1-69 have been cancelled and new claims 70-92 have been added. This amendment does not add any new matter. Applicants reserve the right to reincorporate any cancelled or unclaimed subject matter into this or a subsequently filed application as appropriate. Consideration and entry of this preliminary amendment is respectfully requested.

CONCLUSION

Applicants believe that the application is in condition for allowance and a notice thereof is respectfully solicited. If any issues remain in connection herewith, or a telephone interview would be of assistance in advancing prosecution of the application, the Examiner is respectfully invited to telephone the undersigned to discuss the same. Prompt and favorable consideration of this response is respectfully requested.

Respectfully submitted,

Date: March 26, 2008


G. Kenneth Smith
Reg. No. 43,135

G. Kenneth Smith, Ph.D., J.D.
1645 Briarwood Circle
Bethlehem, PA 18015
Tel: 908-425-1805